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BEFORE THE ARIZONA CORPORATION
COMMISSION

INTERVENTION RECEIVED

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2008 MAR -4 P 3:14

Arizona Corporation Commission

DOCKETED

MAR 4 2008

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

ARIZONA CORPORATION
COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE
APPLICATION OF ARIZONA-
AMERICAN WATER COMPANY, INC.,
AN ARIZONA CORPORATION, FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR INCREASES
IN ITS RATES AND CHARGES BASED
THEREON FOR UTILITY SERVICE BY
ITS PARADISE VALLEY WATER
DISTRICT.

DOCKET NO. W-01303A-05-0405

DOCKET NO. W-01303A-05-0910

THE TOWN OF PARADISE
VALLEY'S MOTION TO
INTERVENE

IN THE MATTER OF THE
APPLICATION OF ARIZONA-
AMERICAN WATER COMPANY, INC.,
AN ARIZONA CORPORATION, FOR
THE APPROVAL OF AN AGREEMENT
WITH THE PARADISE VALLEY
COUNTRY CLUB

The Town of Paradise Valley ("Town") hereby respectfully moves the Arizona Corporation Commission ("the Commission") for leave to intervene in the above-captioned proceeding pursuant to A.A.C. R14-3-105. This Motion is supported by the following:

1. On July 28, 2006, the Commission issued Decision No. 68858 granting a rate increase to Arizona American Water Company ("Arizona-American"), which included a Public Safety Surcharge ("PPS") and an Arsenic Cost recovery Mechanism ("ACRM").

2. On September 28, 2007, the Town submitted to the Commission, Town Resolution No. 1156 that requested the reconsideration of Commission Decision No. 68858 relating to the PSS.

3. On January 15, 2008, the Town filed a settlement agreement entered into between the Town, certain Resorts located within the Town of Paradise Valley, and

1 representatives of groups of residents from the Town of Paradise Valley containing a
2 consensus rate design that would act as an interim solution regarding the PSS pending the
3 next rate case ("the Settlement Agreement").

4 4. On February 27, 2008, the Commission, pursuant to A.R.S. § 40-252, voted to
5 re-open Decision 68858 for the purpose of addressing the Settlement Agreement.

6 5. The Town, as a signatory to the Settlement Agreement, is directly and
7 substantially interested in, and potentially affected by, the outcome of the proceeding before
8 the Commission.

9 6. The granting of Intervenor status to the Town will not delay this proceeding or
10 cause the issues to be unduly broadened or unduly prejudice party or other interested person.
11 Moreover, the Town is an indispensable party to the proceeding as it is a signatory to the
12 Settlement Agreement.


13 7. The name, address, telephone number, facsimile number and e-mail address
14 of the outside counsel for the Town, upon whom service of all documents is to be made, are:

15
16 Timothy J. Casey, Esq. (State Bar # 013492)
17 *SCHMITT, SCHNECK, SMYTH & HERROD, P.C.*
18 1221 East Osborne Road, Suite 105
19 Phoenix, Arizona 85014
Phone: (602) 277-7000
Facsimile: (602) 277-8663
E-mail: timcasey@azbarristers.com

20 WHEREFORE the Town respectfully requests that the Commission grant its Motion
21 to Intervene in the above-captioned proceeding.

22 RESPECTFULLY SUBMITTED this 4th day of March, 2008.

23 *SCHMITT, SCHNECK, SMYTH & HERROD, P.C.*

24
25 
26 Timothy J. Casey
27 Attorney for the Town of Paradise Valley
28

1 ORIGINAL and 13 copies filed this
2 4th day of March, 2008, with:

3 Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington Street
6 Phoenix, Arizona 85004

7 COPIES of the foregoing hand-delivered
8 this 4th day of March, 2008, to:

9 Teena Wolf
10 Chief Administrative Law Judge
11 Hearing Division
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, Arizona 85004

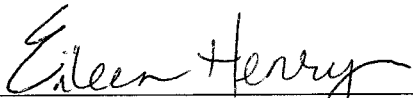
15 Maureen Scott
16 Legal Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, Arizona 85004

20 COPIES of the foregoing mailed
21 this 4th day of March, 2008, to:

22 Daniel W. Pozefsky
23 Residential Utility Consumer Office
24 1110 West Washington Street, Suite 220
25 Phoenix, Arizona 85007

26 Paul M. Li
27 Arizona-American Water Company
28 19820 North 7th Street, Suite 201
Phoenix, Arizona 85024

Jeff Crockett, Esq.
SNELL & WILMER, LLP
One Arizona Center
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Phoenix, Arizona 85004
Outside Counsel for the Resorts

23 
24 Eileen Henry, *Schmitt, Schneck,*
25 *Smyth & Herrod, P.C.*
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27
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